

EXHIBIT 4



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Transcript of Rachel Jean Gold

Date: January 23, 2023

Case: Robertson, et al. -v- Cuban, et al.

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

- - - - - x

PIERCE ROBERTSON, RACHEL GOLD, :
SANFORD GOLD, RAHIL SAYED, :
CHRISTOPHER EHRENTAUT, TODD :
MANGANIELLO, DAN NEWSOM, :
WILLIAM AYER, ANTHONY DORN, :
DAMECO GATES, MARSHALL PETERS, :
and EDWIN GARRISON, on behalf :
of themselves and all others :
similarly situated, :

Plaintiffs, :

v. : Case No.:
1:22-cv-22538

MARK CUBAN and DALLAS :
BASKETBALL LIMITED d/b/a :
DALLAS MAVERICKS, :

Defendants. :

- - - - - x

REMOTE VIDEOTAPED DEPOSITION OF

RACHEL JEAN GOLD

CORAL SPRINGS, FLORIDA

Monday, January 23, 2023

10:15 a.m.

Job No. 478352

Pages: 1 - 218

Reported By: April L. Crites, RMR, CRR, CSR, CCR

Notary Public, State of Ohio

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1	Q Okay. But you remember watching it on	11:33:50
2	YouTube; is that right?	11:33:51
3	A On YouTube, yes.	11:33:52
4	Q Have you ever taken any classes on finance	11:33:55
5	or investing?	11:33:59
6	A No.	11:34:01
7	Q Okay. You've heard of Voyager, or Voyager	11:34:04
8	Digital, right?	11:34:10
9	A Yes.	11:34:11
10	Q What is Voyager?	11:34:11
11	A A cryptocurrency trading platform.	11:34:12
12	Q And do you know who started Voyager?	11:34:15
13	A Steve Ehrlich, I believe.	11:34:17
14	Q And is that the CEO?	11:34:21
15	A I think so.	11:34:24
16	Q When did you first hear about Voyager?	11:34:25
17	A Through Dylan.	11:34:28
18	Q Do you remember when that was?	11:34:30
19	A Same as -- as right -- right before	11:34:34
20	January, when I invested, so a couple months --	11:34:39
21	late 2021.	11:34:44
22	Q And what did you do with the information	11:34:46
23	that you received from Mr. Keuning?	11:34:49
24	A Researched it, Googled it, tried to	11:34:53
25	validate the information.	11:34:56

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1	Q Did you contact any investment advisors or	11:34:58
2	speak to Jeff about it?	11:35:01
3	A I spoke to Jeff briefly about it, but they	11:35:03
4	don't really dabble in crypto, so it was something	11:35:08
5	he wanted to learn more about himself but --	11:35:12
6	Q So Jeff was learning about crypto from	11:35:15
7	you?	11:35:18
8	A No.	11:35:18
9	Q Okay.	11:35:18
10	A He expressed to me that he didn't know a	11:35:19
11	lot about crypto.	11:35:23
12	Q And did you look at the Voyager website?	11:35:25
13	A The app.	11:35:28
14	Q On the app exclusively?	11:35:30
15	A Yes.	11:35:33
16	Q And did you talk to any friends about	11:35:35
17	opening up a Voyager account?	11:35:37
18	A After the fact. I told my -- one of my	11:35:39
19	best friends, Louise, about it, and Dylan	11:35:43
20	obviously knew about it.	11:35:47
21	Q And when you spoke to Louise, did you give	11:35:47
22	her a promotion code for her to open an account?	11:35:51
23	A No.	11:35:55
24	Q Do you know if she ever opened an account?	11:35:55
25	A I don't think she did.	11:35:57

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1	Q Okay. Any other research that you did	11:36:00
2	concerning Voyager?	11:36:02
3	A Just Googling online.	11:36:06
4	Q What did you find when you Googled online	11:36:09
5	about Voyager?	11:36:15
6	A Validating what Dylan had told me about	11:36:16
7	some of Mark Cuban's statements around Voyager and	11:36:19
8	its safety and USDC.	11:36:23
9	Q And did you ever attempt to open a Voyager	11:36:34
10	account in your name?	11:36:37
11	A I did.	11:36:38
12	Q Why did you decide to do that?	11:36:38
13	A Just -- that was -- I thought would be the	11:36:42
14	easiest way to open the account.	11:36:48
15	Q And do you recall when this was?	11:36:53
16	A Same time frame, January.	11:36:57
17	Q Early January 2022 --	11:37:00
18	A Yeah.	11:37:02
19	Q -- right?	11:37:02
20	And were you successful in opening the	11:37:03
21	account?	11:37:06
22	A No.	11:37:06
23	Q Can you tell me what happened?	11:37:07
24	A I opened the account in my name, and I was	11:37:10
25	trying to transfer funds from an account that just	11:37:14

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1	had Eric's name. And a few days after I initiated	11:37:18
2	the transfer, it said that it was denied.	11:37:24
3	Q So the account that you tried to open in	11:37:30
4	your name was never funded; is that right?	11:37:33
5	A Correct.	11:37:36
6	Q So I'm going to turn to Document B, which	11:37:39
7	is going to be handed over to you. It's been	11:37:43
8	marked as Exhibit 2.	11:37:46
9	MS. WOLKINSON: For the record, it bears	11:37:50
10	Bates stamp, RGOLD_CUBAN_00103 through 00104.	11:37:53
11	(Defendants' Exhibit 2, Voyager E-mail,	11:38:03
12	January 5, 2022, Bates stamped RGOLD_CUBAN_00103	11:38:03
13	through 00104, was marked and presented for	11:38:03
14	purposes of identification.)	11:38:04
15	BY MS. WOLKINSON:	11:38:04
16	Q So, Ms. Gold, this is an e-mail that you	11:38:05
17	received from Voyager; is that right?	11:38:08
18	A Yes.	11:38:10
19	Q And it's dated January 5, 2022, right?	11:38:12
20	A Yes.	11:38:18
21	Q So this is from when you first tried to	11:38:18
22	open up the account in your name, right?	11:38:22
23	A Yes.	11:38:24
24	Q Okay. And, you know, it says, Thanks for	11:38:24
25	signing up. You're almost ready to start trading.	11:38:27

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1	Confirm your e-mail address by clicking the button	11:38:30
2	below.	11:38:34
3	I'm assuming that you clicked the button	11:38:34
4	below; is that right?	11:38:37
5	A I believe so, yes.	11:38:38
6	Q And this is a Voyager account. Do you	11:38:39
7	understand what kind of account this was?	11:38:43
8	A Yes.	11:38:46
9	Q What kind of an account was it?	11:38:46
10	A A crypto -- it was on a crypto exchange.	11:38:49
11	Q And do you know if this account that you	11:38:55
12	tried opening on January 5, 2022, if that was an	11:38:57
13	Earn Program account?	11:39:05
14	A I don't know what that means.	11:39:07
15	Q Did you speak with anyone about opening up	11:39:13
16	an Earn Program Account?	11:39:16
17	A I -- I don't know what Earn -- I don't	11:39:20
18	know what you mean by Earn Program account.	11:39:24
19	Q Okay. The account that you tried opening	11:39:29
20	on January 5, 2022, this is the only account that	11:39:35
21	you tried opening up with Voyager in your name --	11:39:40
22	A Correct.	11:39:43
23	Q -- is that right?	11:39:44
24	A Correct.	11:39:45
25	Q And you were never able to fund this	11:39:46

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1	account, correct?	11:39:48
2	A Correct.	11:39:48
3	Q And you're not claiming that any losses	11:39:51
4	of -- loss of funds deposited in the Voyager	11:39:56
5	account in your name, right?	11:40:01
6	A Correct.	11:40:03
7	Q And any losses you claim are with respect	11:40:03
8	to funds deposited into the Voyager account were	11:40:05
9	in your husband's name; is that right?	11:40:08
10	A Correct.	11:40:10
11	Q And were you able to make any	11:40:11
12	cryptocurrency transactions in the account opened	11:40:14
13	January 5th in your name?	11:40:18
14	A No.	11:40:20
15	Q So I'm going to turn to Document C, which	11:40:24
16	will be marked as Exhibit 3.	11:40:29
17	MS. WOLKINSON: For the record, it bears	11:40:34
18	the Bates number RGOLD_CUBAN_00148 through 00150.	11:40:36
19	(Defendants' Exhibit 3, Account Sheet,	11:40:51
20	Bates stamped RGOLD_CUBAN_00148 through 00150, was	11:40:51
21	marked and presented for purposes of	11:40:51
22	identification.)	11:40:56
23	BY MS. WOLKINSON:	11:40:56
24	Q Do you recognize this document?	11:40:57
25	A Yes.	11:40:58

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1	Q Okay. What is it?	11:40:58
2	A All of the crypto transactions through the	11:41:00
3	Voyager app.	11:41:09
4	Q And is the information reflected in	11:41:10
5	Exhibit 3 for the account opened in your husband's	11:41:12
6	name?	11:41:14
7	A Correct.	11:41:15
8	Q And does this form accurately reflect the	11:41:17
9	activity in your husband's account?	11:41:21
10	A Yes.	11:41:23
11	Q And did you generate this form?	11:41:24
12	A I e-mailed Voyager, asking for a ledger.	11:41:28
13	I believe this is what they sent me.	11:41:38
14	Q So just so I understand, you e-mailed	11:41:44
15	Voyager asking for a ledger from your account, and	11:41:51
16	this is what was sent to you by Voyager; is that	11:41:53
17	right?	11:41:56
18	A From my husband's account.	11:41:56
19	Q From your husband's account. Okay.	11:42:00
20	And you, though, have not produced any	11:42:01
21	records for any trading in your account, right?	11:42:04
22	A There was no trading.	11:42:06
23	Q Okay. I just want to be clear on that.	11:42:07
24	Thank you.	11:42:10
25	And looking at this document, did you	11:42:10

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1	Q For the Risk Check, why does it say,	11:46:14
2	Rejected?	11:46:22
3	A My understanding or belief would be	11:46:22
4	because the account is in my name, and the funds	11:46:24
5	that was trying to get transferred into Voyager	11:46:27
6	was not in my name.	11:46:30
7	Q So I'm going to show you a document that	11:46:37
8	will be marked as Exhibit 4A, as in alpha.	11:46:40
9	MS. WOLKINSON: For the record, it bears	11:46:46
10	the Bates number, Rob-Voyager-000000016.	11:46:48
11	(Defendants' Exhibit 4A, Voyager Document,	11:47:01
12	Bates stamped Rob-Voyager-000000016, was marked	11:47:01
13	and presented for purposes of identification.)	11:47:02
14	BY MS. WOLKINSON:	11:47:02
15	Q And, again, I'm representing that this is	11:47:02
16	a document that was produced by Voyager.	11:47:04
17	At the top of the document, do you see a	11:47:08
18	user ID at the top left-hand corner?	11:47:12
19	A Yes.	11:47:15
20	Q And it says, User Status, to the right,	11:47:16
21	and it says, Closed.	11:47:21
22	Correct?	11:47:24
23	A Yes.	11:47:24
24	Q And then a little bit further to the	11:47:25
25	right, it says there's a Compliance Tag; Yes.	11:47:27

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1	Can you see that?	11:47:32
2	A Yes.	11:47:33
3	Q And then, is the rest of the information,	11:47:33
4	if you go -- starting with your e-mail, towards	11:47:35
5	the right, is this all information that's accurate	11:47:41
6	as it pertains to you; your e-mail, name, birth	11:47:43
7	year, et cetera?	11:47:47
8	A Yes.	11:47:50
9	Q Thank you.	11:47:51
10	So, Ms. Gold, is -- is Mr. Cuban a friend	11:47:55
11	of yours?	11:48:00
12	A No.	11:48:01
13	Q And is he your investment advisor?	11:48:01
14	A No.	11:48:04
15	Q Have you ever spoken to Mr. Cuban?	11:48:04
16	A No.	11:48:08
17	Q Have you ever exchanged e-mails with him?	11:48:09
18	A No.	11:48:11
19	Q Have you ever exchanged text messages with	11:48:12
20	Mr. Cuban?	11:48:18
21	A No.	11:48:18
22	Q Have you ever written Mr. Cuban a letter?	11:48:18
23	A No.	11:48:20
24	Q Have you ever corresponded with Mr. Cuban	11:48:21
25	in any way?	11:48:23

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1	A No.	11:48:24
2	Q Have you ever been to a Dallas Mavericks	11:48:24
3	game?	11:48:28
4	A Been to one? No.	11:48:28
5	Q Are you -- other than a fan of Shark	11:48:30
6	Tank -- or is it fair to say that you're a fan of	11:48:34
7	Shark Tank?	11:48:37
8	A Yes.	11:48:37
9	Q Other than Shark Tank, are you a fan of	11:48:38
10	the Dallas Mavericks?	11:48:41
11	A No.	11:48:45
12	Q And have you ever seen any of the Dallas	11:48:48
13	Mavericks' Voyager Reward codes?	11:48:54
14	A Yes.	11:48:59
15	Q When did you see those?	11:48:59
16	A I don't recall if it was maybe December or	11:49:02
17	January of when I invested. It was a MAVS100,	11:49:06
18	something I recall seeing.	11:49:15
19	Q And did you use a MAVS100 code?	11:49:16
20	A No.	11:49:20
21	Q Why not?	11:49:21
22	A I was going to try to use Dylan's code.	11:49:22
23	It didn't work. I don't -- I don't think it did.	11:49:26
24	Q So Dylan's code was for how much of	11:49:32
25	Bitcoin?	11:49:37

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1	A I don't remember.	11:49:38
2	Q And you didn't first learn about Voyager	11:49:46
3	from Mr. Cuban, right?	11:49:49
4	A Correct.	11:49:50
5	Q And you didn't attempt to open up your	11:49:50
6	Voyager account because of anything Mr. Cuban	11:49:53
7	said, correct?	11:49:57
8	A Correct.	11:49:59
9	Q And did you rely on statements made by	11:50:01
10	Mr. Cuban in connection with your Voyager account?	11:50:05
11	A Yes.	11:50:07
12	Q Okay. Which ones?	11:50:09
13	A Specifically, USDC.	11:50:10
14	Q And what did Mr. Cuban say about USDC?	11:50:14
15	A Verbatim, I can't recall. I remember	11:50:19
16	vaguely a Twitter posting when I was doing my	11:50:22
17	research about how he was claiming that USDC was a	11:50:26
18	very wise, safe investment choice and that it was	11:50:33
19	better than just leaving your money in a bank.	11:50:37
20	Q And when did Mr. Cuban make the statement	11:50:40
21	that you're speaking about?	11:50:43
22	A I don't remember the date. I just	11:50:45
23	remember seeing it on Twitter.	11:50:48
24	Q And do you remember approximately around	11:50:51
25	when you saw it on Twitter?	11:50:55

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1	A Before I invested, so sometime in January,	11:50:58
2	I believe. January, mid-January.	11:51:01
3	Q So you first opened your account on	11:51:09
4	January 5th; is that right?	11:51:11
5	A My personal one that didn't get funded.	11:51:14
6	Q And then, when did you open up your	11:51:17
7	husband's account?	11:51:20
8	A Shortly after.	11:51:21
9	Q Was it January 7th? Does that sound about	11:51:21
10	right?	11:51:24
11	A Yeah.	11:51:24
12	Q And what did you do with the information	11:51:25
13	that you received from Mr. Cuban in connection	11:51:29
14	with Voyager?	11:51:35
15	A I invested in some Bitcoin and USDC.	11:51:36
16	Those are my two largest investments.	11:51:42
17	Q But you first attempted to open up your	11:51:47
18	Voyager account after speaking with Mr. Keuning;	11:51:50
19	is that right?	11:51:56
20	A Correct.	11:51:56
21	Q So turning now to Document E. The court	11:51:56
22	reporter will hand this over, and it's going to be	11:52:02
23	marked as Exhibit 5.	11:52:04
24	MS. WOLKINSON: For the record, it is	11:52:08
25	Bates stamped RGOLD_CUBAN_ 00160 through 00162.	11:52:11

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1	(Defendants' Exhibit 5, Keuning Messages	11:52:23
2	Screenshot, Bates stamped RGOLD_CUBAN_00160	11:52:23
3	through 00162, was marked and presented for	11:52:23
4	purposes of identification.)	11:52:28
5	BY MS. WOLKINSON:	11:52:28
6	Q So, this is a screenshot of a text message	11:52:28
7	between yourself and Dylan Keuning; is that right?	11:52:32
8	A Yes -- Facebook.	11:52:40
9	Q This is a Facebook message?	11:52:41
10	A A Facebook screenshot of the Messenger	11:52:45
11	chat.	11:52:48
12	Q And did you produce this Facebook	11:52:53
13	screenshot of a Messenger chat?	11:52:56
14	A Yes.	11:52:59
15	Q And how do you know Dylan Keuning?	11:53:07
16	A We used to work together at	11:53:14
17	Laurie Reader's office.	11:53:18
18	Q That's the Keller Williams Realty?	11:53:18
19	A Yes.	11:53:21
20	Q And when did you first meet him?	11:53:22
21	A At that office.	11:53:24
22	Q So was that about five years ago?	11:53:25
23	A Sounds right.	11:53:28
24	Q And what's the nature of your	11:53:29
25	relationship?	11:53:30

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1	A	He was one of the realtors that worked	11:53:31
2		with us.	11:53:34
3	Q	So his occupation is -- he's a full-time	11:53:36
4		real estate agent?	11:53:41
5	A	Yes.	11:53:42
6	Q	And does he also specialize in finance?	11:53:46
7	A	I would not say he specializes in finance.	11:53:53
8	Q	And Mr. Keuning is the person who told you	11:53:59
9		about Voyager in January 2022; is that right?	11:54:04
10	A	He might have told me a bit before when we	11:54:07
11		were speaking, but, yes, he is the person that	11:54:10
12		told me about it.	11:54:12
13	Q	And you tried to use Mr. Keuning's code	11:54:14
14		when you opened up your Voyager account; is that	11:54:18
15		right?	11:54:23
16	A	Yes.	11:54:23
17	Q	And did you also try to use his code when	11:54:24
18		you opened up your husband's account?	11:54:28
19	A	I can't remember.	11:54:30
20	Q	So you wanted this Voyager account because	11:54:35
21		Mr. Keuning had invested successfully in	11:54:42
22		cryptocurrency; is that right?	11:54:45
23	A	Correct.	11:54:46
24	Q	What did Mr. Keuning share with you about	11:54:48
25		his investments in crypto?	11:54:52

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1	A That he made money in crypto was pretty	11:54:56
2	much the gist of it.	11:55:02
3	Q And when Voyager filed for bankruptcy in	11:55:04
4	July, did you blame Mr. Keuning for telling you to	11:55:07
5	open up a Voyager account?	11:55:12
6	A I wouldn't say I blamed him. I was angry	11:55:14
7	that he ever told me about the app originally,	11:55:17
8	which led to my own research, but --	11:55:22
9	Q And would -- would Mr. Keuning, would he	11:55:25
10	message you daily about what to purchase, just	11:55:29
11	make suggestions?	11:55:34
12	A I don't know about daily, but he messaged	11:55:35
13	a lot in the beginning.	11:55:39
14	Q So turning, you know, to this document --	11:55:43
15	you do recognize this document, and it does come	11:55:49
16	from your Facebook chat, right?	11:55:53
17	A Yes.	11:55:55
18	Q And how did you go about collecting these	11:55:56
19	messages in advance of production?	11:56:02
20	A I screen-shotted them, and I searched for	11:56:05
21	specific keywords in my Facebook Messenger.	11:56:13
22	Q So I see Voyager's in white.	11:56:18
23	A Yes.	11:56:21
24	Q Is that one of the keywords?	11:56:21
25	A Yes.	11:56:23

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1	Q And what other keywords did you search	11:56:24
2	for?	11:56:26
3	A I believe for purposes of this, it was	11:56:27
4	just Voyager.	11:56:31
5	Q And what devices did you collect your	11:56:35
6	messages from?	11:56:38
7	A My phone.	11:56:39
8	Q And what applications are these messages	11:56:42
9	in?	11:56:45
10	A These are Facebook.	11:56:46
11	Q And during the collection process, did you	11:56:49
12	collect documents from other applications, as	11:56:52
13	well?	11:56:55
14	A Texts and e-mails.	11:56:55
15	Q So Facebook texts and e-mails; is that	11:57:00
16	right?	11:57:05
17	A Yes.	11:57:05
18	Q Okay. So I'd like to look at the first	11:57:05
19	message from January 6. And on Exhibit 5, that	11:57:08
20	actually is at the very bottom of the document.	11:57:17
21	So the bottom of -- this is Exhibit 5,	11:57:20
22	which is -- the document page is stamped 162. The	11:57:26
23	bottom text message from you, Rachel Gold Rares,	11:57:31
24	is from January 6, 2022; is that right?	11:57:37
25	A Yes.	11:57:43

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1	Q And is that the day that you opened up	11:57:43
2	your Voyager account?	11:57:45
3	A I don't know if I'm talking about mine or	11:57:47
4	the one that I opened up with my husband's name.	11:57:49
5	Q The message says, I used your code for	11:57:53
6	Voyage, but IDK if it worked. I didn't get	11:57:57
7	anything, LOL.	11:58:02
8	What are you referring to here?	11:58:03
9	A I tried to use his code in the Voyager app	11:58:05
10	but I wasn't sure if it worked.	11:58:12
11	Q And the "I" is you here, correct?	11:58:13
12	A Yes.	11:58:16
13	Q And the "your code for Voyage," that's	11:58:16
14	referring to a code from Mr. Keuning, right?	11:58:25
15	A Correct.	11:58:28
16	Q And what do you mean by "your code"?	11:58:28
17	A The code that he had sent me to use, a	11:58:33
18	referral code, I believe.	11:58:35
19	Q So this is not the referral code that you	11:58:37
20	spoke about earlier from -- from the Mavericks,	11:58:39
21	correct?	11:58:44
22	A Correct.	11:58:45
23	Q And also not a referral code from	11:58:45
24	Mr. Cuban, right?	11:58:47
25	A Correct.	11:58:49

Transcript of Rachel Jean Gold
January 23, 2023

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1	presented for purposes of identification.)	14:15:02
2	BY MS. WOLKINSON:	14:15:02
3	Q So I'm going to show what will be marked	14:15:03
4	as Exhibit 9.	14:15:05
5	MS. WOLKINSON: For the record, it's the	14:15:06
6	Voyager Cryptocurrency Disclosure Statement that's	14:15:08
7	available at the web link on Voyager's website in	14:15:12
8	the Customer Agreement.	14:15:16
9	BY MS. WOLKINSON:	14:15:20
10	Q Do you see at the top, Ms. Gold, where it	14:15:21
11	says Voyager Cryptocurrency Disclosures?	14:15:24
12	A Yes.	14:15:26
13	Q Have you seen this document before?	14:15:26
14	A Not that I recall.	14:15:29
15	Q So, it says, Cryptocurrencies are highly	14:15:30
16	speculative in nature, involve a high degree of	14:15:33
17	risk, and can rapidly and significantly decrease	14:15:35
18	in value. It is reasonably possible for the value	14:15:38
19	of cryptocurrencies to decrease to zero or near	14:15:41
20	zero.	14:15:43
21	Do you see that?	14:15:44
22	A Yes.	14:15:45
23	Q And do you see a point -- the next	14:15:46
24	paragraph, Cryptocurrency held on the Voyager	14:15:48
25	platform is not protected by FDIC insurance or any	14:15:52

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1	other government-backed or third-party insurance.	14:16:01
2	Do you see that?	14:16:06
3	A Yes.	14:16:07
4	Q What did you understand that paragraph to	14:16:07
5	mean, that it's not protected by FDIC insurance or	14:16:10
6	any other government-backed or third-party	14:16:14
7	insurance?	14:16:17
8	A That if someone -- in regards to just the	14:16:17
9	FDIC insurance, for example, if someone hacked in	14:16:22
10	my account or got our login and username and	14:16:23
11	wanted to withdraw funds, it wouldn't be protected	14:16:24
12	by FDIC insurance.	14:16:28
13	In regards to the first paragraph,	14:16:30
14	cryptocurrencies being able to decrease to zero or	14:16:33
15	near zero, I understand that completely. But I	14:16:36
16	feel like there's a difference between it	14:16:39
17	decreasing to zero and being able to hold onto it,	14:16:41
18	and then, again, just having no access to your	14:16:45
19	crypto. I don't see that anywhere in the risk	14:16:47
20	disclosure, unless I'm mistaken.	14:16:49
21	Q Do you see where it says on the fifth	14:16:51
22	paragraph, Cryptocurrencies are not regulated or	14:16:53
23	are lightly regulated in most countries, including	14:16:57
24	the United States. However, one or more countries	14:17:00
25	may take regulatory actions that could severely	14:17:06

Transcript of Rachel Jean Gold

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1 restrict the right to acquire, own, hold, sell, or
2 use cryptocurrencies, which would adversely impact
3 their value. Voyager may be forced to suspend or
4 discontinue the ability to purchase or sell
5 cryptocurrencies without notice.

6 A I see that. But again, my understanding,
7 you know, to that would be that they could suspend
8 or discontinue the ability to purchase or sell,
9 but that you would still have access to what you
10 have purchased already.

11 Q But, again, with respect to all these
12 risks, Mr. Keuning, when Voyager filed for
13 bankruptcy on July 6th, wrote to you and said that
14 he warned you about the risks with respect to
15 investing and opening your Voyager account.

16 A The risks he's talking about have nothing
17 to do with bankruptcy or not having access to
18 funds. The risks he was talking about was
19 volatility within the crypto market.

20 Q And did Mr. Keuning -- did he text you
21 anything with respect to the risks specifically,
22 or was that all oral communication?

23 A All oral communication; didn't text me
24 anything. Some videos on crypto and how it works,
25 or trying to help me understand crypto, but no

Transcript of Rachel Jean Gold
January 23, 2023

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1	risks.	14:18:34
2	Q So nothing in addition to the message that	14:18:34
3	he sent you on July 6th?	14:18:37
4	A No.	14:18:39
5	Q Okay. So, Ms. Gold, on Document J -- I'm	14:18:40
6	going to show you a document that I'm going to be	14:18:48
7	marking as Exhibit 10.	14:18:51
8	MS. WOLKINSON: For the record, this	14:18:58
9	document bears Bates stamp RGOLD_CUBAN_00096	14:19:00
10	through 00097.	14:19:13
11	(Defendants' Exhibit 10, Voyager E-mail,	14:19:17
12	January 7, 2022, Bates stamped RGOLD_CUBAN_00096	14:19:17
13	through 00097, was marked and presented for	14:19:17
14	purposes of identification.)	14:19:24
15	BY MS. WOLKINSON:	14:19:24
16	Q Do you recognize this document?	14:19:25
17	A It looks like the same one as the other,	14:19:27
18	but the date's different.	14:19:29
19	Q And this e-mail says -- from Voyager to	14:19:36
20	you says, A friend successfully signed up for a	14:19:43
21	Voyager account and traded using your referral	14:19:47
22	code. Thanks to you, you've both earned \$25 each	14:19:50
23	in Bitcoin.	14:19:54
24	Do you see that?	14:19:56
25	A Yes. So this was what I referred to	14:19:57

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1	previously. This was Eric's -- under Eric's	14:20:00
2	account, getting the \$25 in Bitcoin.	14:20:05
3	I had never, on the other one, gotten it,	14:20:11
4	because the account was never funded. So where it	14:20:16
5	says, Completes their first deposit and trade of	14:20:19
6	\$100 or more, mine never went through, just to	14:20:26
7	clarify.	14:20:30
8	Q Thank you.	14:20:30
9	And is the friend here your husband,	14:20:33
10	Mr. Rares?	14:20:37
11	A Yes.	14:20:39
12	Q So, let's shift and talk about the account	14:20:39
13	that was opened on January 7, 2022.	14:20:41
14	Why was that account opened?	14:20:46
15	A So, when I tried to open the first account	14:20:49
16	under my name, at that time, a lot of my funds	14:20:53
17	were in CDs and his were in money markets or a	14:20:58
18	liquid CD -- I don't remember which it was at the	14:21:04
19	time -- and it was his -- those funds under just	14:21:07
20	his name were more accessible at that time to	14:21:11
21	start investing. So when I realized that they	14:21:14
22	weren't allowing me to open up an account in the	14:21:19
23	name that I -- I actually tried to go into the	14:21:21
24	account I originally opened and change the name,	14:21:25
25	but I couldn't do that, so I ended up just saying,	14:21:27

Transcript of Rachel Jean Gold
January 23, 2023

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1	Okay. Never mind. I'll just open a brand-new	14:21:31
2	account and put Eric's e-mail address with all of	14:21:34
3	Eric's information, and that's why the second	14:21:39
4	account was opened.	14:21:42
5	Q Okay. So I'd like to turn your attention	14:21:43
6	back to Exhibit 7. Those are those login	14:21:44
7	screenshots to establish the account.	14:21:49
8	A This one? Oh, this one.	14:21:52
9	Q Just the generic screenshots.	14:21:53
10	So on the login, with respect to the	14:21:58
11	e-mail, when you opened up the account on	14:22:02
12	January 7th, did you put in here your husband's	14:22:05
13	e-mail address?	14:22:09
14	A Yes.	14:22:09
15	Q And what is the e-mail address that you	14:22:09
16	used for your husband?	14:22:14
17	A Eric.alexander.rares@gmail.com.	14:22:14
18	Q And do you have access to your husband's	14:22:21
19	e-mail?	14:22:23
20	A Yes.	14:22:23
21	Q So you can log in and read his e-mails?	14:22:23
22	A Yes.	14:22:27
23	Q And on the second page where it says,	14:22:27
24	Create an Account, back in the middle of the page,	14:22:29
25	it has a reward code --	14:22:32

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January 23, 2023

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1	A	Mm-hmm.	14:22:35
2	Q	-- right?	14:22:35
3		So what reward code did you enter here?	14:22:36
4	A	The reward code for the referral that was	14:22:39
5		on the RGold1@FAU.edu Voyager account.	14:22:41
6	Q	And that was not a reward code that you	14:22:50
7		received from the Mavericks, correct?	14:22:54
8	A	The Mavs code had been discontinued, I	14:22:56
9		believe.	14:22:58
10	Q	And not a reward code that you received	14:22:58
11		from Mr. Cuban, correct?	14:23:00
12	A	No.	14:23:05
13	Q	And then, where it says --	14:23:05
14	A	Sorry, you met Mr. Keuning?	14:23:06
15	Q	Cuban.	14:23:08
16	A	Oh, sorry. Can you ask the last question	14:23:09
17		again?	14:23:11
18	Q	The reward code was not a reward code that	14:23:12
19		you received from Mr. Cuban, correct?	14:23:14
20	A	Correct, because that had a very short	14:23:17
21		window of time to be able to use that code.	14:23:19
22	Q	Are you speaking about a code from	14:23:21
23		Mr. Cuban, or are you speaking --	14:23:24
24	A	The Mavs code.	14:23:26
25	Q	-- about a Mavericks code?	14:23:27

Transcript of Rachel Jean Gold

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1	A	Mavericks code.	14:23:30
2	Q	Okay. Are you aware of any code from	14:23:32
3		Mr. Cuban?	14:23:33
4	A	Only the Mavs code.	14:23:34
5	Q	And then, in the middle of the screenshot	14:23:35
6		on page 2, it says, By creating an account, you	14:23:38
7		agree to our Terms.	14:23:41
8		Do you see that?	14:23:42
9	A	I do.	14:23:43
10	Q	And when you opened up the account in your	14:23:44
11		husband's name, did you read the customer	14:23:46
12		agreement and the risk disclosure statements that	14:23:51
13		we just went through?	14:23:53
14	A	No.	14:23:54
15	Q	So you just clicked on here, on the box in	14:23:55
16		the center here that says, By creating an account,	14:23:58
17		you agree to our Terms.	14:24:02
18		Correct?	14:24:04
19	A	Correct.	14:24:05
20	Q	And then, turning to page 3, it asks for	14:24:07
21		you to enter your name.	14:24:12
22		And did you enter here your husband's	14:24:16
23		name, Eric Rares?	14:24:20
24	A	Yes.	14:24:22
25	Q	And turning to slide 4, it asks to enter a	14:24:25

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1	e-mail. I set up the account for him, just like	14:29:16
2	I -- I did for Eric.	14:29:22
3	Q And would you actually execute the	14:29:24
4	transactions in your father's account as well, or	14:29:31
5	only Eric's?	14:29:34
6	A My dad's as well.	14:29:35
7	Q And in your father's account, what bank	14:29:37
8	account did he use?	14:29:39
9	A I believe it was a Wells Fargo account.	14:29:41
10	Q So you had continuous access to both your	14:29:50
11	father's account and your husband's account,	14:29:56
12	right?	14:29:58
13	A Correct.	14:29:59
14	Q And would you actually discuss with your	14:30:03
15	father the investments that you were making within	14:30:06
16	his account, or did you just do them on your own?	14:30:09
17	A For the most part, on my own.	14:30:13
18	Q Is it fair to say that you were a pretty	14:30:19
19	active user of the Voyager account in your	14:30:24
20	husband's name?	14:30:28
21	A Yes.	14:30:29
22	Q And do you know about how many trades you	14:30:30
23	made -- or purchases, rather?	14:30:32
24	A No, but the ledger would tell us that.	14:30:37
25	But off the top of my head, no. It was also about	14:30:42

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January 23, 2023

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1	a year ago.	14:30:45
2	Q So I think if you pull up Exhibit 3, it	14:31:04
3	shows about 112 purchases.	14:31:08
4	Does that look about right?	14:31:10
5	A Are you including the deposits from	14:31:14
6	interest?	14:31:18
7	Q Yes.	14:31:18
8	A Then, yeah, I'm going to trust you on	14:31:20
9	that, since I have not counted these.	14:31:23
10	Q So we -- it looks like it's about	14:31:26
11	112 transactions; is that right?	14:31:32
12	A I'm going to trust you, yes.	14:31:34
13	Q Do you recall any sales or withdrawals?	14:31:39
14	A No.	14:31:46
15	Q Do you remember when you made your last	14:32:04
16	purchase on the Voyager platform in your husband's	14:32:06
17	name?	14:32:10
18	A I do not, but I know it would say it on	14:32:10
19	here. It looks like -- January, February, March,	14:32:14
20	April -- it looks like May.	14:32:29
21	Q Is that the purchase of BAT on	14:32:36
22	May 16, 2022?	14:32:46
23	A Yes.	14:32:47
24	Q So looking, Ms. Gold, at Exhibit 3, are	14:32:47
25	you able to tell me which statements Mr. Cuban	14:32:56

Transcript of Rachel Jean Gold
January 23, 2023

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1 made that you relied upon to purchase the 14:33:05
2 cryptocurrency? 14:33:08

3 A Well, the blanket statement of just the 14:33:09
4 Voyager app in general, making it seem that it was 14:33:12
5 the best app and that it was safe, that what -- 14:33:18
6 that's what really brought me over the -- that 14:33:24
7 hump of, you know, being nervous to invest in 14:33:28
8 something I wasn't very savvy about, like 14:33:31
9 cryptocurrency. 14:33:34

10 Dylan, as well, I guess, who made money 14:33:38
11 off of crypto. In regard to specific 14:33:43
12 cryptocurrencies, USDC and Bitcoin would be the 14:33:48
13 main two, but especially USDC, since statements 14:33:56
14 were made by Mark Cuban specifically about 14:34:04
15 investing in USDC and how it made more sense than 14:34:07
16 just leaving it in a bank because of the interest 14:34:12
17 it was able to yield. 14:34:15

18 Q So is your investment strategy consistent 14:34:16
19 with Mr. Cuban's? 14:34:19

20 A Is it consistent? 14:34:23

21 Q Yes. You're claiming that you relied on 14:34:26
22 Mr. Cuban's statements, correct? 14:34:29

23 A I relied on the validity of his word that 14:34:34
24 it was a safe platform that he himself was 14:34:37
25 investing in, and I thought to myself, Well, if 14:34:41

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January 23, 2023

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1	Mark Cuban -- who is a much more savvy investor	14:34:46
2	than I am -- if he trusts this platform and is	14:34:49
3	recommending it -- I believe his words were	14:34:54
4	something that -- something along the lines that	14:34:56
5	he would hope it would reach a lot more people	14:34:58
6	than just Mavs fans, when he did the conference	14:35:01
7	speaking about Voyager. I had trust in that	14:35:05
8	statement for the app as a whole.	14:35:11
9	Q So in terms, though, of the actual trades,	14:35:15
10	you didn't rely on any of Mr. Cuban's statements	14:35:19
11	when you actually made any of the purchases in	14:35:23
12	your husband's account, right?	14:35:27
13	MR. BUSHMAN: Object to the form.	14:35:30
14	THE WITNESS: No, I did. For USDC,	14:35:31
15	specifically -- that's something that Dylan never	14:35:35
16	discussed with me. I didn't even know what USDC	14:35:38
17	was at the time -- and Bitcoin, were the two that	14:35:41
18	I heard most talked about by Mark Cuban and --	14:35:50
19	well, what I read and what I saw at the	14:35:54
20	conference.	14:35:57
21	BY MS. WOLKINSON:	14:35:57
22	Q And when you're speaking about the	14:35:58
23	conference, are you referencing your viewing at	14:35:59
24	some point of the October 27th press conference	14:36:03
25	when Mr. Cuban was discussing the sponsorship	14:36:08

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January 23, 2023

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1	agreement between the Dallas Mavericks and	14:36:13
2	Voyager?	14:36:16
3	A On YouTube, correct.	14:36:16
4	Q Right. You viewed it on YouTube.	14:36:18
5	And do you remember when you viewed that?	14:36:21
6	A Early January, I would say.	14:36:24
7	Q And do you remember where -- where you	14:36:29
8	were when you viewed it?	14:36:32
9	A Right there (indicating).	14:36:33
10	Q And you don't have any other record of you	14:36:35
11	viewing it, or any conversations, text messages	14:36:39
12	that you might have had, to pinpoint when you	14:36:43
13	actually --	14:36:46
14	A No.	14:36:46
15	Q -- viewed that?	14:36:47
16	Did you talk to anybody else about viewing	14:36:48
17	that press conference on YouTube?	14:36:52
18	A I think I spoke to my father and my	14:36:56
19	husband about it to, I guess, let them know what I	14:36:58
20	was doing and backing up why very briefly; but	14:37:05
21	other than them, I don't think I would have talked	14:37:12
22	to anybody about that specifically.	14:37:13
23	Q So, looking back at Exhibit 3. So, we	14:37:16
24	talked a little bit about the very top, the first	14:37:22
25	transaction, with the deposit of the \$10,000 on	14:37:27

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1	January 7th.	14:37:31
2	Do you see that?	14:37:32
3	A Mm-hmm.	14:37:33
4	Q And was this --	14:37:34
5	MR. BUSHMAN: You have to answer orally.	14:37:35
6	THE WITNESS: Yes.	14:37:38
7	MS. WOLKINSON: Thank you.	14:37:38
8	BY MS. WOLKINSON:	14:37:39
9	Q And was this deposit made immediately	14:37:40
10	after you opened the account in your husband's	14:37:41
11	name?	14:37:45
12	A Yes.	14:37:45
13	Q Okay. And this is a deposit that you	14:37:45
14	made, right?	14:37:47
15	A Yes.	14:37:48
16	Q And the source of funds came from your	14:37:48
17	husband's account, right?	14:37:52
18	A Yes.	14:37:53
19	Q And you said that this account was from	14:37:53
20	proceeds from real estate and other work that	14:37:57
21	Mr. Rares did; is that right?	14:38:02
22	A Correct.	14:38:04
23	MR. BUSHMAN: Object to the form.	14:38:06
24	Mischaracterizes testimony.	14:38:10
25	You can answer.	14:38:12

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1	THE WITNESS: I believe so.	14:38:12
2	BY MS. WOLKINSON:	14:38:13
3	Q And what were those real estate proceeds?	14:38:13
4	A From the Wellington property.	14:38:17
5	Q And were you married when he inherited the	14:38:18
6	property?	14:38:23
7	A I don't think so. Not legally, no. I	14:38:26
8	don't think so. I think we were engaged at that	14:38:31
9	point.	14:38:33
10	Q And what work were you referring to?	14:38:33
11	A What do you mean?	14:38:39
12	Q From the proceeds from his work, that	14:38:40
13	that's what --	14:38:43
14	A Oh.	14:38:43
15	Q -- was used in the account --	14:38:44
16	MR. BUSHMAN: Object to the form.	14:38:47
17	THE WITNESS: But I can answer?	14:38:49
18	MR. BUSHMAN: You can answer.	14:38:50
19	THE WITNESS: From property maintenance	14:38:51
20	management in Seattle.	14:38:53
21	BY MS. WOLKINSON:	14:38:57
22	Q And before making this deposit, did you	14:38:57
23	discuss opening this account with Mr. Rares?	14:38:59
24	A Yes. To what extent, I don't -- I can't	14:39:06
25	recall.	14:39:22

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1	Q And did you discuss this with Mr. Keuning?	14:39:22
2	A Discuss what?	14:39:24
3	Q Making this deposit, the \$10,000 deposit.	14:39:26
4	A I don't know if I ever specified in what	14:39:32
5	amounts I was making deposits for.	14:39:36
6	Q So you see the next six rows of this form.	14:39:46
7	They reflect transactions from January 7, 2022.	14:39:51
8	Do you see a purchase of BTC for	14:39:56
9	approximately \$4,638?	14:40:01
10	A Yeah -- oh, yes, the second one, right?	14:40:07
11	Q Did you make this purchase?	14:40:11
12	A Yes.	14:40:13
13	Q Okay. What did you know about BTC on	14:40:16
14	January 7, 2022?	14:40:26
15	A That it stood for Bitcoin. Other than	14:40:28
16	that, not a lot. There's actually something that	14:40:39
17	I believe Mark Cuban wrote. I don't remember if	14:40:42
18	he said it as well, but I remember he wrote	14:40:43
19	something along the lines of -- that a lot of	14:40:46
20	people don't understand cryptocurrency, and that's	14:40:48
21	why they don't invest in it. And I was one of	14:40:50
22	those people that didn't fully understand it, but	14:40:53
23	I knew it stood for Bitcoin.	14:40:56
24	Q And when did Mr. Cuban make this	14:41:07
25	statement?	14:41:10

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1	actually increased in value?	14:50:16
2	A If I had access to it, yes.	14:50:18
3	Q And your total purchase history for USDC	14:50:46
4	was \$11,000; is that right?	14:50:50
5	A Sounds about right.	14:50:52
6	Q So, you know, based off the spreadsheet	14:50:57
7	you produced for Mr. Rares' account, it appears	14:51:00
8	that you purchased \$43,166 in BTC on your	14:51:04
9	husband's account; is that right?	14:51:13
10	A Correct.	14:51:14
11	Q Is this the most you invested in any one	14:51:14
12	cryptocurrency?	14:51:19
13	A Yes.	14:51:19
14	Q And you didn't invest in any Ethereum,	14:51:19
15	correct?	14:51:24
16	A Correct.	14:51:24
17	Q Why did you not invest in Ethereum?	14:51:25
18	A I just -- I heard more about Bitcoin,	14:51:30
19	and -- there was really no reason why I didn't	14:51:40
20	invest in Ethereum. I just didn't.	14:51:44
21	Q So you are aware that Mr. Cuban has stated	14:51:48
22	that he invests in Ethereum over Bitcoin, right?	14:51:52
23	A I was not aware of that. I do remember	14:51:57
24	seeing a statement that -- I believe, like, the	14:51:59
25	Mavs took both forms of Ethereum and Bitcoin for	14:52:02

Transcript of Rachel Jean Gold
January 23, 2023

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1	payment, something along those lines.	14:52:09
2	Q Are you aware that Mr. Cuban has stated he	14:52:13
3	thinks Ethereum has the most upside?	14:52:18
4	A I was not aware of that.	14:52:19
5	Q And do you know how much you paid for	14:52:25
6	Bitcoin?	14:52:29
7	A I don't know the cost average. There were	14:52:31
8	different prices.	14:52:35
9	Q And do you know how much Bitcoin was held	14:52:37
10	in your husband's Voyager account as of	14:52:40
11	July 1, 2022?	14:52:44
12	A I do not know that amount off the top of	14:52:45
13	my head.	14:52:50
14	Q And over the life of the account, you	14:52:50
15	purchased approximately -- I think we talked about	14:52:55
16	this before -- \$43,166 in Bitcoin; is that right?	14:52:59
17	A That sounds right.	14:53:04
18	Q And the value of BTC, it went down over	14:53:05
19	this period, correct?	14:53:09
20	A I believe so.	14:53:10
21	Q And would you agree that the value of the	14:53:11
22	BTC you purchased declined?	14:53:15
23	A Yes.	14:53:21
24	Q And do you know why it declined during	14:53:21
25	this period?	14:53:23

Transcript of Rachel Jean Gold
January 23, 2023

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1	A	Everything was declining in a lot of	14:53:27
2		different investments. Do I know specifically the	14:53:33
3		reason why? No -- for crypto, no.	14:53:35
4	Q	And did you discuss this decline with	14:53:39
5		Mr. Keuning?	14:53:43
6	A	Yeah, I believe that I did.	14:53:44
7	Q	And what reasoning did he offer?	14:53:46
8	A	That was kind of going back to when he	14:53:49
9		said, you know, crypto will go up and down. You	14:53:51
10		know, I mean, he didn't really say much. He kind	14:53:56
11		of expected it to go up and down.	14:53:59
12	Q	You don't contend that Mr. Cuban had any	14:54:02
13		role in the decline of BTC's value over this	14:54:05
14		period, right?	14:54:09
15	A	No, I don't believe that he had the crypto	14:54:10
16		decline.	14:54:15
17	Q	Ms. Gold, do you understand that there are	14:54:32
18		different types of cryptocurrencies?	14:54:35
19	A	Yes.	14:54:38
20	Q	Do you know what a decentralized	14:54:38
21		autonomous organization, or DAO, is?	14:54:41
22	A	I've heard of it, but I could not	14:54:45
23		articulate what it means to you.	14:54:47
24	Q	And do you know whether you invested in	14:54:50
25		any DAO government tokens on the Voyager platform?	14:54:53

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January 23, 2023

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1	A I believe I've seen that to where I did,	14:55:00
2	yes.	14:55:02
3	Q And which one was that?	14:55:02
4	A I don't know. I just remember seeing the	14:55:04
5	word.	14:55:06
6	Q Okay. And when you invested in APE, was	14:55:08
7	it because it was a DAO government token?	14:55:16
8	A No.	14:55:20
9	Q Do you know what a smart contract token	14:55:21
10	is?	14:55:23
11	A No.	14:55:23
12	Q And do you know whether you invested in	14:55:25
13	any smart contract tokens on the Voyager platform?	14:55:27
14	A I don't know.	14:55:30
15	Q So, I'd like to show you a document that	14:55:35
16	will be marked as Exhibit 11.	14:55:38
17	(Defendants' Exhibit 11, Jeff Galotti Text	14:56:02
18	Messages, Bates stamped RGOLD_CUBAN_00157 through	14:56:02
19	00158, was marked and presented for purposes of	14:56:02
20	identification.)	14:56:04
21	MS. WOLKINSON: So this document bears	14:56:04
22	Bates stamp RGOLD_CUBAN_00157.	14:56:06
23	BY MS. WOLKINSON:	14:56:18
24	Q Ms. Gold, do you recognize this document?	14:56:20
25	A Yes.	14:56:21

Transcript of Rachel Jean Gold

January 23, 2023

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1	Q What is this?	14:56:22
2	A A text between Jeff, my advisor, and	14:56:23
3	myself.	14:56:27
4	Q So this document is a snapshot of a text	14:56:29
5	correspondence between you and Jeff at	14:56:35
6	TD Ameritrade, correct?	14:56:39
7	A Correct. CWA, but correct.	14:56:41
8	Q CWA.	14:56:45
9	And I -- I don't see a date on the first	14:56:48
10	page of this document. Do you know when this	14:56:52
11	document was created?	14:56:55
12	A Well, it says January 18th here, so it was	14:56:57
13	around that time.	14:57:02
14	Q So when you said it says, "January 18	14:57:05
15	here," are you referring to the bottom of the	14:57:11
16	second page of Exhibit 11?	14:57:14
17	A Yes.	14:57:15
18	Q So how were you connected with Jeff?	14:57:27
19	A When my husband and I went to interview	14:57:32
20	advisors, we went to -- one of the places we went	14:57:38
21	was TD Ameritrade, and they brought in a third	14:57:43
22	party they use to invest clients. And that's when	14:57:48
23	I first met with him.	14:57:51
24	Q And when did you first connect with him?	14:57:52
25	In what period was that?	14:57:53

Transcript of Rachel Jean Gold

January 23, 2023

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1	A	I -- towards the end of 2019.	14:57:54
2	Q	And would you typically communicate with	14:58:04
3		him via text message?	14:58:08
4	A	Text, e-mail, calls.	14:58:10
5	Q	And this is a document -- Exhibit 11 is a	14:58:18
6		document that you produced, correct?	14:58:23
7	A	Yes.	14:58:24
8	Q	And how did you go about collecting these	14:58:25
9		messages with Jeff?	14:58:28
10	A	I searched in my search bar, "crypto,"	14:58:29
11		"Voyager." I think there was another. But I just	14:58:40
12		searched different keywords to try to bring up any	14:58:46
13		messages.	14:58:51
14	Q	And what -- from what device does this	14:58:51
15		screenshot come from?	14:58:53
16	A	My cell phone.	14:58:54
17	Q	And is this document read from bottom to	14:58:59
18		top, or top to bottom?	14:59:02
19	A	Top to bottom.	14:59:08
20	Q	And are you speaking in blue bubbles?	14:59:09
21	A	Yes.	14:59:13
22	Q	And then Jeff is speaking in the black	14:59:14
23		bubbles, right?	14:59:16
24	A	Correct.	14:59:17
25	Q	So you believe that this text chain, even	14:59:21

Transcript of Rachel Jean Gold
January 23, 2023

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1	though it's not dated, it is from January of 2022;	14:59:25
2	is that right?	14:59:31
3	A Yes.	14:59:33
4	Q So it says on top in blue -- so that's you	14:59:36
5	speaking -- I started buying crypto.	14:59:42
6	Do you see that?	14:59:45
7	A Yes.	14:59:46
8	Q And then Jeff replies, Any -- Any NFTs	14:59:47
9	yet, question mark, LOL.	14:59:57
10	Do you see that?	15:00:00
11	A Yes.	15:00:01
12	Q What are NFTs?	15:00:01
13	A Something-something tokens. That, I still	15:00:07
14	don't understand.	15:00:10
15	Q So you then respond, My friend made	15:00:11
16	1 million on a 20K investment last year. No NFTs,	15:00:18
17	just crypto. I just listen to him. He messaged	15:00:23
18	me daily on what to buy, and I'm just listening to	15:00:26
19	him.	15:00:29
20	Correct?	15:00:30
21	A Correct. That's what I said.	15:00:31
22	Q And who is the friend that you're	15:00:32
23	referring to?	15:00:34
24	A Dylan.	15:00:34
25	Q And that's Dylan Keuning, correct?	15:00:36

Transcript of Rachel Jean Gold
January 23, 2023

154

1	A	Correct.	15:00:38
2	Q	And when you say, quote, I just listen to	15:00:39
3		him, are you referring to Dylan?	15:00:47
4	A	Yes, but it's not in the sense of I am	15:00:49
5		only listening to him. It's, I'm listening to him	15:00:52
6		on investments to make. But the issue for me, on	15:00:56
7		the record, isn't the crypto choices or the types	15:01:01
8		of crypto. It's the application and the exchange	15:01:06
9		on which those cryptos were on, the Voyager app	15:01:11
10		itself.	15:01:18
11	Q	And it says here in blue that you were	15:01:23
12		just listening to your friend on what	15:01:32
13		cryptocurrencies to purchase, correct?	15:01:34
14	A	Correct.	15:01:36
15	Q	So you weren't listening to Mr. Cuban on	15:01:37
16		what cryptocurrencies to purchase, right?	15:01:42
17	A	Well, at that time, I hadn't purchased	15:01:45
18		USDC yet, but because of -- I was listening to	15:01:48
19		Dylan on specific types of cryptos, and then	15:01:55
20		getting his information and doing my own research.	15:01:59
21		The reason that I chose the Voyager app to end up	15:02:01
22		trading the cryptos that he was telling me he was	15:02:06
23		doing was because of Mark Cuban.	15:02:10
24	Q	Sorry. So which statements were you	15:02:19
25		listening to that you are attributing to Mark	15:02:23

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January 23, 2023

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1	Cuban with respect to your cryptocurrency	15:02:28
2	purchases?	15:02:29
3	A The app itself; trading on Voyager app	15:02:30
4	itself.	15:02:33
5	Q But when you are writing in your text	15:02:36
6	message here, you're writing, No NFTs, just	15:02:41
7	crypto. I just listen to him. He messaged me	15:02:45
8	daily on what to buy, and I'm just listening to	15:02:49
9	him.	15:02:52
10	Correct?	15:02:52
11	A On the specific types of crypto.	15:02:53
12	Q Okay. So you weren't --	15:02:55
13	A At that moment.	15:02:56
14	Q So as I asked before, you weren't	15:02:57
15	listening to Mark Cuban, then, about which	15:03:00
16	cryptocurrencies to purchase, right?	15:03:02
17	A I was only listening to Mark Cuban and	15:03:04
18	taking what he said to purchase it on the Voyager	15:03:07
19	platform.	15:03:10
20	Q And you weren't listening to anyone at the	15:03:13
21	Mavericks about which cryptocurrencies to	15:03:17
22	purchase, right?	15:03:19
23	A He spoke about Bitcoin a lot, and I saw	15:03:24
24	statements about Bitcoin, which made me feel	15:03:29
25	confident in purchasing Bitcoin, which was the	15:03:33

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1	majority of my purchases at this time.	15:03:36
2	Q When you say, He messaged me daily on what	15:03:40
3	to buy, you're referring to Mr. Keuning, right?	15:03:44
4	A Correct.	15:03:49
5	Q And how would Mr. Keuning message you?	15:03:50
6	A Facebook, phone.	15:03:55
7	Q And these were daily messages?	15:04:02
8	A To start off, yeah.	15:04:05
9	Q And these were, you said, on Facebook and	15:04:20
10	your phone.	15:04:22
11	And have you been through all of these	15:04:23
12	messages to produce to us everything relevant?	15:04:26
13	A I believe so, yes.	15:04:33
14	Q So these daily messages, how many would	15:04:37
15	you say you've received?	15:04:41
16	A I don't know. Probably around 20 mess --	15:04:55
17	that's very much a guess.	15:05:07
18	Q So we haven't received 20 text chains.	15:05:10
19	So, you know, we would request that you review	15:05:18
20	your records to see if there are additional --	15:05:21
21	A Okay.	15:05:23
22	Q -- relevant documents that you can have	15:05:24
23	your attorney produce.	15:05:26
24	What cryptocurrencies was your friend	15:05:28
25	telling you to buy?	15:05:31

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January 23, 2023

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1	A	Some of what you see here, and others that	15:05:36
2		I don't remember the acronyms for.	15:05:40
3	Q	And at the end of the message, it says,	15:05:45
4		quote, I'm just listening to him.	15:05:50
5		Do you see that?	15:05:52
6	A	Yes.	15:05:53
7	Q	And this, again, is referring to your	15:05:54
8		friend, right?	15:05:56
9	A	Yes.	15:05:57
10	Q	And this is not referring to Mr. Cuban,	15:05:58
11		correct?	15:06:01
12	A	This text message is not referring to	15:06:01
13		Mr. Cuban.	15:06:04
14	Q	And it's not referring to the Dallas	15:06:04
15		Mavericks, correct?	15:06:07
16	A	This text message, no.	15:06:08
17	Q	And there's nothing in this text message	15:06:10
18		that references Mr. Cuban, correct?	15:06:13
19	A	Correct.	15:06:15
20	Q	And there's nothing in this text message	15:06:16
21		that references the Dallas Mavericks, correct?	15:06:19
22	A	Correct.	15:06:21
23	Q	Why were you telling Jeff at CWA about	15:06:22
24		listening to your friend on what cryptocurrencies	15:06:31
25		to purchase?	15:06:33

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January 23, 2023

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1	A	Just telling him. I don't know if there	15:06:38
2		was an ulterior, you know, like, motive behind me	15:06:42
3		doing that. Just conversational, letting him know	15:06:47
4		what I was doing.	15:06:50
5	Q	So Jeff then asks you, What wallet and	15:06:52
6		exchange do you use?	15:06:58
7		Correct?	15:07:00
8	A	Correct.	15:07:01
9	Q	And you respond, I use Coinbase. He has	15:07:02
10		me buying Algorand on Coinbase BC of the APY, and	15:07:05
11		everything else on Voyager.	15:07:17
12		Do you see that?	15:07:18
13	A	I do.	15:07:19
14	Q	And it's accurate -- and I believe you	15:07:20
15		said earlier that you also used Coinbase; is that	15:07:21
16		right?	15:07:21
17	A	Correct.	15:07:26
18	Q	And when did you start using Coinbase?	15:07:26
19		Was that also in January?	15:07:28
20	A	Yes.	15:07:28
21	Q	And did you open up your Coinbase account	15:07:29
22		before your Voyager accounts?	15:07:33
23	A	I believe so.	15:07:35
24	Q	And when you say, He has me buying	15:07:36
25		Algorand on Coinbase BC of the APY, and everything	15:07:39

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1	else on Voyager, who is the "he" you're referring	15:07:46
2	to here?	15:07:49
3	A Dylan.	15:07:49
4	Q And what do you mean that your friend,	15:07:50
5	quote, had you buying Algorand on Coinbase BC of	15:07:54
6	the APY?	15:07:58
7	A I used Coinbase -- he has me buying	15:07:58
8	Algorand on Coinbase. He recommended Algorand on	15:08:04
9	Coinbase.	15:08:06
10	Q So Mr. Keuning recommended that you	15:08:06
11	purchase Algorand on Coinbase, right?	15:08:10
12	A I think "recommended" is a strong word.	15:08:12
13	He was telling me what he was doing, and I decided	15:08:15
14	to -- after my own research, I decided that would	15:08:18
15	be a good idea.	15:08:21
16	Q And what do you mean that you said that	15:08:24
17	your friend, Had me buying everything else on	15:08:29
18	Voyager.	15:08:31
19	What did you mean by that?	15:08:32
20	A I just said, Everything else on Voyager.	15:08:34
21	I used Voyager for everything else.	15:08:37
22	Q So your -- your friend was telling you to	15:08:40
23	buy other cryptocurrencies on Voyager?	15:08:43
24	A He wasn't telling me to buy it; he shared	15:08:46
25	information that he had. And, again, after doing	15:08:49